



PRESS RELEASE

FOR IMMEDIATE RELEASE
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Nogales Police Officer, Commander for Judicial Police, and Law Enforcement Agent with Judicial Police for the State of Sonora, Mexico Indicted

TUCSON, ARIZONA -- The United States Attorney's Office for the District of Arizona announces that on March 26, 2003, a federal grand jury at Tucson, Arizona, returned a four count indictment against Frank Mahomar, a Nogales Police Officer, of Nogales, Arizona, Pablo Ruben Garcia, a Law Enforcement Agent with the Judicial Police, and Carlos Pereyda, a Commander with the Judicial Police, of Sonora, Mexico.

The indictment alleges between January 2001, and continuing to on or about February 23, 2002, the defendants described above did conspire with each

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other to export and take out the United States of America and into the Republic of Mexico articles on the United States Munitions list, without first having obtained either an export license or written approval of the United States Department of State. The indictment alleges Mahomar, acting on instructions from Pereyda and/or Garcia, would act as the purchaser of those firearms and ammunition, which were actually for Pereyda. Mahomar would falsely certify on the required U.S. Treasury Firearms Transaction Record, Form 4473, that Mahomar was the actual purchaser of the firearms. Pereyda and/or Garcia would take possession of the firearms, and return to Mexico. Pereyda and Garcia paid Mahomar twenty to one hundred dollars for each transaction. The defendants also conspired to make false statements and representations with respect to information required to be kept in the records of the licensed firearms dealer regarding the identity of the purchaser of the firearms. Additionally, the indictment alleges Gracia, an alien admitted to the United States under a non-immigrant visa, was charged with knowingly possessing firearms which had traveled in and affected interstate commerce.

A conviction for the offense charged in Count 4 of the indictment carries a penalty of 10 years incarceration and a \$250,000 fine and the offenses charged

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in Counts 1-3 of the indictment carry a penalty of 5 years incarceration and a \$250,000 fine.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation preceding the indictment was conducted by Special Agents for the Bureau of Alcohol Tobacco and Firearms. The prosecution is being handled by Tom Fink, Assistant United States Attorney, District of Arizona, Tucson, Arizona.

CASE NUMBER: CR-03-0670-TUC
RELEASE NUMBER: 2003-042

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